IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

LADARREN WOODS §

VS. § CIVIL ACTION NO. 9:16-CV-105

ROBERT MARQUARDT, ET AL. §

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff LaDarren Woods, a prisoner confined at the Diboll Correctional Facility, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Robert Marquardt, Lyle Parry, Carl Nink, Brad Livingston, David Driskell, and Management and Training Corporation.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends granting Brad Livingston's second motion to dismiss the claims against him.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

OR<u>DER</u>

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 12) is **ADOPTED**. Defendant Brad Livingston's second motion to dismiss (document no. 7) is **GRANTED**. Defendant

Livingston's first motion to dismiss (document no. 3) is **DENIED** as moot. A partial judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So Ordered and Signed

Mar 3, 2017

Ron Clark, United States District Judge